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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,188	01/21/2004	Kia Silverbrook	MPA05US	2152
24011	7590	11/07/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			GOLDBERG, BRIAN J	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/760,188	Applicant(s) SILVERBROOK ET AL.	
	Examiner Brian Goldberg	Art Unit 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/3/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: fluid distribution stack 500, and possibly others. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 1, 2, 4, and 6 are objected to because of the following informalities: It is not fully clear from the specification what is meant by "fluid distribution member", since this phrasing is not used within the body of the specification. Appropriate correction is required.

3. Claims 4-6 are objected to as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 4 and 5 recite the limitation "the curable resin" in lines 1-2 of the claims. There is

insufficient antecedent basis for this limitation in the claim. Claim 6 recites the limitation "the apertures" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (WO 0142026) in view of Spivey (US 6190002). Silverbrook et al. disclose "mounting at least two printhead integrated circuits (18 of Fig 4) to an upper surface (26 of Fig 3) of at least one fluid distribution member (28 of Fig 3, 30 of Fig 7), the at least two printhead integrated circuits each having nozzles formed therein (page 5 In 19) for printing fluid onto the surface of print media; and fixedly attaching (by means of 44 of Fig 6)... a lower surface of the at least one fluid distribution member (lower surface of 28 of Fig 3) onto an upper surface of a support member (32 of Fig 3) having fluid delivery channels (80 of Fig 7) for the nozzles of the at least two printhead integrated circuits, so as to form a unitary arrangement of the support member, the at least two printhead integrated circuits and the at least one fluid distribution member (see Fig 6 and 7)...further comprising the step of adhering an electrical connector (48 of Fig 8) to a section of the upper surface of the at least one fluid distribution member for connecting electrical signals to the at least two printhead integrated circuits (page 3 In

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17-19).” Thus Silverbrook et al. meet the claimed invention except “attaching with an adhesive material.”

6. Spivey teaches “fixedly attaching with an adhesive material (92 of Fig 5 and col 5 ln 43-47).” It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to perform the attaching step using an adhesive material. One would have been motivated to so modify Silverbrook et al. by substituting an adhesive for a clip attachment for the benefit of making a more secure and permanent attachment, increasing the durability of the printhead module.

7. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. in view of Spivey as applied to claims 1 and 2 above, and further in view of Patil et al. (US 6830646). Silverbrook et al. in view of Spivey disclose the claimed invention as set forth above with respect to claims 1 and 2. Thus Silverbrook et al. in view of Spivey meet the claimed invention except “wherein the adhesive material is a curable resin” and “wherein the attaching step further includes the step of curing the curable resin.”

8. Patil et al. teach “wherein the adhesive material is a curable resin (30 and 36 of Fig 3 and col 11 ln 44-49 and col 8 ln 47-49)” and “wherein the attaching step further includes the step of curing the curable resin (col 11 ln 49-50 and col 8 ln 47-49).” It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use a curable resin as the adhesive material. One would have been motivated to so modify Silverbrook et al. in view of Spivey for the benefit of creating a strong and durable attachment that curable resins provide.

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9. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. in view of Spivey and Patil et al. as applied to claims 2 and 3 above, and further in view of Hillier. Silverbrook et al. in view of Spivey and Patil et al. disclose the claimed invention as set forth above with respect to claims 2 and 3. Thus Silverbrook et al. in view of Spivey and Patil et al. meet the claimed invention except "depositing the curable resin about apertures" and "curing the curable resin so as to form gaskets about the apertures."

10. Hillier teaches "depositing the curable resin about apertures" and "curing the curable resin so as to form gaskets about the apertures (see abstract)." It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to deposit and cure a curable resin about apertures to form gaskets. One would have been motivated to so modify Silverbrook et al. in view of Spivey and Patil et al. for the benefit of creating a strong and durable sealing gasket that curable resins can provide.

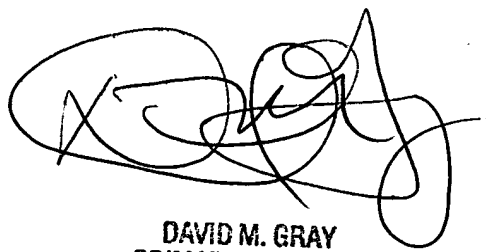
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on 571-272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG



DAVID M. GRAY
PRIMARY EXAMINER